IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FOURTH DAY OF JANUARY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 24811 of 2004

Between:

I. Satyanarayana Raju, S/o. Satyanarayana Raju,
R/o. Bondada, Kalla Mandal, West Godavari District.

..... PETITIONER

AND

1 Government of Andhra Pradesh, Rep. by its Secretary, Irrigation Department, Secretariat, Hyderabad.
2 Engineer-in-Chief, (Administration Wing), Command Area Development, Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate Writ, order or direction declaring the impugned order of the 2nd respondent in Rc.ENC/S1(2)/24819/04, dated 12-8-2004 as illegal, arbitrary etc., while declaring the orders of the A.P. Administrative Tribunal in O.A.No. 4718/2004 Dated 7-12-2004 as illegal and contrary to law.

Counsel for the Petitioner:MR.V.V.L.N.SARMA

Counsel for the Respondents: GP FOR SERVICES II

The Court made the following :

O R D E R: (PER GB.J)

1) This writ petition is filed challenging the order, dated 07.12.2004 passed in O.A.No.4718 of 2004 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad, whereby, the learned Tribunal dismissed the O.A.

2) The writ petitioner is an applicant in O.A.No.4718 of 2004. He filed the O.A., challenging the order of suspension, dated 12.08.2004.

3) The learned Tribunal considering the material on record and having heard both the parties, did not find any reason to interfere with the order of suspension. Accordingly, dismissed the O.A.

4) The learned counsel appearing for the petitioner submits that the charges issued against the Deputy Executive Engineer, who is similarly placed with that of the petitioner, have been enquired into and the same have been dropped and therefore, keeping the petitioner under suspension amounts to discrimination and thus, the suspension order is liable to be set aside.

5) After hearing the learned counsel for the petitioner and the learned Government Pleader for Services-II, we do not find any reason to interfere with the impugned order. However, the writ petitioner is at liberty to make a representation to the authorities, since the charges issued against the Deputy Executive Engineer, who

has been similarly placed with that of the writ petitioner, have been dropped. In the event of the writ petitioner submitting the representation to the authorities, the concerned authorities shall dispose of the same within a period of four weeks.

6) The writ petition is accordingly disposed of. No costs.

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G.BIKSHAPATHY.J.,

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B.SESHASAYANA REDDY.J.,

Dt.24.01.2004

tjs

To

1.The Secretary, Irrigation Department, Government of Andhra Pradesh, Secretary, Hyderabad.

2. Engineer-in-Chief (Administration Wing) and Command Area Development Department, Andhra Pradesh, Hyderabad

3 2 CCs to the G.P. for Services II, High Court of A.P., Hyderabad.

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